

On 1-6-59, the claimant asserting that it was financially unable to prosecute further its claim to the article, and the claimant having discontinued the manufacture of the article known as "*Buticaps*," it was stipulated and agreed between the Government and the claimant that the claimant's claim be withdrawn and that the article under seizure be destroyed, and accordingly the article was ordered condemned and destroyed on 1-22-59.

5809. Sugar-chek (urine sugar test tape) (2 seizure actions). (F.D.C. No. 42177, 42178. S. Nos. 14-647/8 P.)

QUANTITY: 426 display ctns., each ctn. containing 36 envelopes, and each envelope containing 1 piece of treated tape (paper) in a sealed package and 1 leaflet, at Chicago and Forest Park, Ill.

SHIPPED: During 1957, from St. Louis, Mo., to Springfield, Ill., from where it was re-shipped to Chicago and Forest Park, Ill.

LABEL IN PART: (Envelope) "Sugar-Chek."

ACCOMPANYING LABELING: Leaflet entitled "What is a Diabetic?"

LIBELED: 9-8-58, N. Dist. Ill.

CHARGE: 502(a)—while held for sale; the labeling of the article contained false and misleading representations that the article was effective for detecting the presence of sugar in the urine, and thus acting as a diagnostic sign of diabetes.

DISPOSITION: 10-30-58 and 10-31-58. Default—destruction.

5810. Magic copper band. (F.D.C. No. 42287. S. No. 21-678 P.)

QUANTITY: 749 devices, each in a plastic box, at Lincoln, Nebr., in possession of M. J. Co.

SHIPPED: 3-18-58, from Providence, R.I.

LABEL IN PART: (Label insert in box) "Here is Your Magic Copper Band"; (back of label) "Handy Order Form Mail to: Magic Copper Band * * * Lincoln, Nebr."

RESULTS OF INVESTIGATION: Examination showed that the article was a copper-colored metal band $\frac{1}{4}$ inch in width, and, when open, about 6 inches in length.

The above-described label inserts were printed locally for the dealer.

LIBELED: 11-13-58, Dist. Nebr.

CHARGE: 502(a)—while held for sale, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for relief from the pains of arthritis and rheumatism.

DISPOSITION: 12-17-58: Default—destruction.

5811. Exercycle devices. (F.D.C. No. 40644. S. No. 68-225/6 M.)

QUANTITY: 24 devices at Kansas City, Mo.

SHIPPED: Between 6-17-57 and 8-26-57, from Hartford, Conn., by the Exercycle Corp.

ACCOMPANYING LABELING: Leaflets designated "Feeling Like A Million" and a pamphlet entitled "Organizational Bulletin No. 119."

RESULTS OF INVESTIGATION: The device consisted of a framework resembling a wheelless bicycle equipped with an electric motor which produced motion of the pedals, seat, and handlebars.

LIBELED: 9-19-57, W. Dist. Mo.

CHARGE: 502(a)—the labeling accompanying the article, when shipped, contained false and misleading representations that the device was effective for providing a daily rejuvenating treatment, streamlining one's figure, increasing one's powers of endurance, improving one's chances against certain types of heart attacks, improving the body metabolism, strengthening the heart, keeping the joints flexible, improving the digestion and elimination, and equalizing the blood pressure; overcoming stagnation of blood circulation and body metabolism, breathlessness, circulatory disorders, lack of strength, pep, and energy, overweight, and premature old age; making one into a "new person," enabling one within 10 days to feel younger, and in 30 days enabling one to stand taller, feel lighter, look healthier, eat heartier, and sleep more soundly; providing positive weight control by "burning up" excess calories before they turn into dangerous fat; enabling a person past 60 to have the body and stamina of a young healthy man of 35, with high energy, strong heart, normal blood pressure, regular elimination, quiet nerves, lungs in top shape, erect posture, and muscles and joints flexible and pliable, with the feel of a youngster and the working ability of "the proverbial horse"; helping the heart by keeping the heart muscles from becoming soft, flabby, and weak; overcoming a tendency to be easily winded while climbing stairs, lifting heavy objects, or engaging in strenuous work; alleviating any disease, ailment, or injury which has affected the conditions of the shoulders, arms, back, legs, stomach, pelvic region, chest, and other parts of the body; acting as a "heart-conditioning, fat-consuming and muscle-toning" exercise; preventing the "chronic middle-aged ailments" such as digestive upsets, heartburn, acidosis, postural diabetes, constipation, headaches, neurasthenia, fatty degeneration of the heart, breathlessness, chronic fatigue, piles, "heart failure," kidney disorders, chronic ailments, and sudden death; preventing high blood pressure, albuminuria, glycosuria, cerebral hemorrhages, angina pectoris, and Bright's disease; preventing one from being a hopeless cripple due to arthritis; enabling a diabetic to cut down the necessary daily dose of insulin; overcoming the after-effects of infantile paralysis; overcoming serious spinal injury and its after-effects; overcoming convulsions in persons who would otherwise have convulsions at frequent intervals; overcoming high blood pressure; overcoming low blood pressure, and overcoming stiff and swollen joints.

DISPOSITION: 11-12-58. Consent—claimed by Exercycle Corp. and relabeled.

5812. Vibro-Massage unit. (F.D.O. No. 42203. S. No. 29-637 P.)

QUANTITY: 16 devices at Dallas, Tex.

SHIPPED: 6-24-57 and 8-22-57, from Lohrville, Iowa, by Giro Power Mfg. Co.

LABEL IN PART: (Metal plate on device) "Vibro-Massage Unit * * * Model MV 6."

ACCOMPANYING LABELING: Leaflets entitled "Magic Belt Massage."

RESULTS OF INVESTIGATION: The device consisted of a stand or base into which a long metal tube with an electric motor on top was mounted. A long web belt was attached to each end of the motor and when the motor was switched on the belt would vibrate. The motor was enclosed in a protective and decorative covering, to which a dial was attached for adjusting the speed of the motor.

LBELED: 10-8-58, N. Dist. Tex.